

Application Serial Number: 09/245,101
1.111 Amendment dated October 21, 2003
Reply to Office Action dated July 21, 2003

Docket Number: 3037-4222 - IDS 113082 (Kraml 5)

REMARKS

The above Amendment and the following remarks are responsive to the Office Action dated July 21, 2003. The Applicant requests entry of this Amendment, favorable reconsideration of this case, and early issuance of a Notice of Allowance.

Status of the Claims

Upon entry of this Amendment, claims 1, 5-7, 15-17, 28, 32-34, 42-44, and 55 will have been rewritten, and claims 8, 18, 35, and 45 will have been canceled. Thus, claims 1-7, 9-17, 19-34, 36-44, and 46-57 are pending in the application. Claims 1, 28, and 55 are independent claims.

RESPONSE TO THE EXAMINER'S OBJECTIONS

The Examiner objected to the drawings because "reference character '150' has been used to designate both 'a target device' and 'a computer-controlled target device'." The Applicant traverses this objection to the drawings.

The Applicant respectfully submits that the interpretation of the statement "a computer-controlled target device 150" (page 8, line 24) must be derived from the context of the discussion of one embodiment of Fig. 1 (page 7, line 20 to page 9, line 6). The following excerpt is a relevant portion of the discussion.

The command signal generator 140 is prompted by each signal or command received from the message compare function 130 to send out a signal or command that causes the desired action to take place at the target device 150. This could be a trigger signal for triggering an electronic or mechanical action, or could be a computer command that causes an operation to be performed in a software-controlled component of the target device 150.

Therefore, the written description discloses that target device 150 receives one of two inputs.

The first input is a trigger signal for triggering an electronic or mechanical action. The second input is a computer command that causes an operation to be performed in a software-controlled

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component of the target device. The phrase "a computer-controlled target device 150" refers to the second input. Thus, the Applicant believes that the Examiner should withdraw the objection to the drawings.

Response to the Rejections under 35 U.S.C. § 112 (first paragraph)

The Examiner rejected claims 1-57 under 35 U.S.C. § 112, first paragraph, as containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the art that the Applicant, at application filing time, had possession of the claimed invention. The Examiner indicates that in claims 1, 28, and 55 the functional limitation "wherein each specific command causes said remotely located computer-controlled device to perform a set of operations" is not supported in the specification as originally filed. The Applicant traverses this rejection of the claims.

The Applicant directs the Examiner's attention to the written description pertaining to Fig. 1. The following excerpt is from page 7, lines 20-23 of the original specification.

In the embodiment of Fig. 1, the message compare function 130 matches each component of the received paging message to a set of one or more known commands or other expected components of the message and sends at least one signal or command determined by the result of the matching process to the command signal generator 140. The command signal generator 140 is prompted by each signal or command received from the message compare function 130 to send out a signal or command that causes the desired action to take place at the target device 150. This could be a trigger signal for triggering an electronic or mechanical action, or could be a computer command that causes an operation to be performed in a software-controlled component of the target device 150.

The Applicant respectfully asserts that the recited portion of the specification reasonably conveys to one skilled in the art that the compare function receives a paging message and sends "at least one" signal or command as a result of a matching process. Thus, the Applicant respectfully asserts that the Examiner should withdraw this rejection of the claims.

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Response to the Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-10 and 28-37 under 35 U.S.C. § 103(a) as being unpatentable over Moughanni et al., United States Patent Number 5,608,655 (hereinafter "Moughanni") in view of Warner, United States Patent Number 4,214,229 (hereinafter "Warner"). The Examiner also rejected claims 11-27 and 38-57 under 35 U.S.C. § 103(a) as being unpatentable over Moughanni, in view of Warner, and further in view of Snyder, United States Patent Number 5,588,038 (hereinafter "Snyder"). Due to the common core of these rejections, the Applicant will treat them together for the sake of brevity. The Applicant traverses these rejections of the claims.

Moughanni discloses for a wireless paging device a system and method for controlling an electro-mechanical device at a remote location. The control of the electro-mechanical device includes, for example, turning a thermostat on or off, turning off an iron accidentally left on, or turning on a car heater before a drive home. The wireless paging device includes a receiver to detect when a particular electro-mechanical device is being remotely accessed. If the electro-mechanical device is remotely accessed, a data processing system stores an incoming message in a buffer and subsequently determines if the incoming message is a command or another type of communication. The data processing system will process a command to provide the proper control signals for controlling the functionality of the electro-mechanical device.

Moughanni further discloses, as an example, an invention that "will allow a person who is working at a distant job site to page a thermostat at their house and dial in a first command to turn on the heater or air conditioner and a second command which specifies the temperature". Thus, each paging input command in Moughanni generates one command control signal that

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instructs an external device to perform one action.

WARNER

Warner discloses a remote control device adapted to operate on a single remotely transmitted standardized command signal of a specific duration having a frequency within a predetermined frequency band, to actuate one or more control functions at the receiver. Warner also discloses that commands for a multiplicity of functions can be accomplished using a single command to eliminate time-consuming procedures.

SNYDER

Snyder discloses a system and method for communicating with a remote location such as a vehicle or building. The system includes a calling transceiver, a central transceiver, and a satellite. The calling transceiver and the central transceiver control a device located in the remote location by sending transmissions to a forward wireless communication via the satellite and to a pager transceiver located in the remote location. The pager transceiver trips an electro-mechanical device as a result of receiving the transmission. The pager transceiver also has the capacity to transmit reverse wireless communications through the satellite.

PRESENTLY CLAIMED INVENTION

Independent claims 1, 28, and 55, as presently claimed, recite a system and method for operation of a remotely located computer-controlled device. The system and method receive paging messages that include content data, compares the content data to a set of allowed commands, and sends commands to the remotely located computer-controlled device as a result of the comparing step. As presently claimed, "the content data includes a program" and "one of said at least one specific command sent to said remotely located computer-controlled device includes the program." The original specification provides support for this limitation on page 7,

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lines 3-9.

In contrast, Moughanni does not disclose the content data portion of the paging message including a program and the program being sent to the target device. Moughanni only discloses a system that receives a paging input message and generates a control signal to perform one action such as turning on a thermostat or setting a temperature. Thus, Moughanni alone does not teach or suggest the Applicant's system and method of operating a remotely located computer-controlled device. Since neither Warner nor Snyder make up for the shortcomings of Moughanni, the Applicant respectfully submits that Moughanni, Warner, and Snyder, taken either alone or in combination, do not teach or suggest the independent claims 1, 28, and 55. *For the previously stated reasons, the Examiner's rejection of independent claims 1, 28, and 55 is*

Claims 2-7, 9-17, 19-27, 29-34, 36-44, 46-54, and 56-57, as presently claimed, depend from either independent claim 1, 28, or 55. For the previously stated reasons, independent claims 1, 28, and 55 are allowable. Since any claim that depends from an allowable independent claim is also allowable, the Applicant respectfully submits that the Examiner should withdraw this rejection as to claims 2-7, 9-17, 19-27, 29-34, 36-44, 46-54, and 56-57.

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AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Amendment under 37 C.F.R. §§ 1.16 and 1.17, including any extension of time, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3037-4222.

Respectfully submitted,
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